

SANTAMARIA AFFIDAVIT  
EXHIBIT Q  
PLAINTIFF'S DEPOSITION  
PP 90-92

1 JANKOUSKY 90

2 information, that you received from Donna  
3 Hutchinson, was an inquiry made as to how long  
4 this behavior had been going on?

5 A Yes.

6 Q And how long?

7           A       It had been going on since August  
8   of 2006.

9 Q Did this come to the attention of  
10 Paul Santamaria?

11 A Yes.

11 A Yes.  
12 Q How did it come to the attention of  
13 Paul Santamaria?

14 A I don't know. I don't remember.

15 Q What did Paul Santamaria say about  
16 this situation?

17 A I don't recall how he learned about  
18 it, but he questioned me about what we had  
19 done to take care of this issue.

20 Q Was it reasonable for him to  
21 request of you what you had done to deal with  
22 the issue?

23 MS. GOODELL: Objection to the form  
24 of the question.

25 A Yes.

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2                           Q     Did you respond to that inquiry  
3                           about what you had done?

4                           A     Yes.

5                           Q     What did you tell him?

6                           A     I told him that we had met with  
7                           them and that we had told them how serious  
8                           this was and it should not be done. It was  
9                           not right and don't do it anymore.

10                          Q     Was Mr. Santamaria satisfied with  
11                          that response?

12                          A     No.

13                          Q     And why not?

14                          MS. GOODELL: Objection to the form  
15                          of the question.

16                          Q     Well, do you know why not?

17                          A     No.

18                          Q     He didn't tell you?

19                          A     Why he wasn't satisfied?

20                          Q     Yes.

21                          Did he say that's not good enough,  
22                          or you should have done this?

23                          A     Well, he wanted them on written  
24                          warning, and he told me that I should have put  
25                          them out of the incentive compensation program

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2 for referrals.

3                           Q     Was he right about that, that they  
4 should have been removed from the program?

5                           A     Yes.

6                           MS. GOODELL: Objection to the form  
7 of the question.

8                           Q     And after he told you that, did you  
9 remove them?

10                          A     Yes.

11                          Q     Were these people given written  
12 warnings then after your discussion with Paul  
13 or not?

14                          A     Yes.

15                          Q     Did you disagree with  
16 Mr. Santamaria on that issue?

17                          A     Do you mean to his face?

18                          Q     No. Well, first that.

19                          Did you tell him that I don't think  
20 a written warning is warranted in words or  
21 substance and they should only get a verbal;  
22 did you tell him that?

23                          A     No.

24                          Q     Did you believe the written warning  
25 was too harsh?